

DETAILED ACTION

Claims 1-8 are examined.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-3,5-7 rejected under 35 U.S.C. 102(e) as anticipated by Bergerioux (2003/0182190).

As per claim 1

Bergerioux ('190) discloses:

A method for a retailer to produce promotional material targeted to a desired

demographic group comprising the steps of:

- selecting graphics, images and textual information appealing to said desired demographic group; (Para 6, advertisement requester having conditions)
- defining the number of copies of said promotional material to be produced; (Para 6, number of copies is a condition)

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- communicating said graphics, images and textual information to a print file assembler; (Para 6, 55)
- assembling said graphics, images and textual information into a digital print file; (Para 6, stocking printing conditions)
- loading said digital print file and said number of copies to be produced into a full color digital/ink jet printer; (Para 6 transmitting print advertisement and conditions)
- printing the digital print file with digital/ink jet technology onto an appropriate substrate; and (Para 5, a method for printing on a seal)
- converting said substrate into a desired form of promotional materials. (Para 5, seal to be touched to commodity)

As per Claim 2

Bergerioux ('190) discloses:

The method for a retailer to produce promotional material targeted to a desired demographic group as set forth in claim 1 wherein said desired form of promotional materials are retail paper bags and said converting step further comprises the steps of folding and gluing bag blanks to form said retail paper bags printed with desired graphics, images and textual information. (Para 47, signal of purchaser identifies demographic group; Para 12)

As per Claim 3

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Bergerioux ('190) discloses:

The method for a retailer to produce promotional material targeted to a desired demographic group as set forth in claim 2 wherein said appropriate substrate comprises a roll of material and said printing step further comprises the steps of unwinding said roll of material, curing the substrate after application of the digital print file, rewinding said roll of material as a printed roll, and said converting step further comprises the steps of unwinding the printed roll and shearing said material to form said bag blanks. (Para 46, printable blank)

As per Claim 5

Bergerioux ('190) discloses:

A method for a retailer to produce promotional material targeted to a desired demographic group comprising the steps of:

- selecting general graphics and images appealing to multiple demographic groups to be applied to a relatively large number of copies of said promotional material; (Para 6, advertisement requester having conditions)
- selecting textual information appealing to a relatively narrowly defined demographic group to be applied to a relatively small number of copies of said promotional materials; (Para 6, advertisement requester having conditions)
- defining the number of copies of said promotional material to be produced; (Para 6, number of copies is a condition)

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- communicating said graphics, images and textual information to be merged by a print file assembler into a hybrid print file; (Para 6, 55)
- transferring said graphics and image elements of said hybrid print file to a conventional printer head; transferring said textual information of said hybrid print file to a single color ink jet printer; (Para 18, 20)
- printing the graphics and images onto an appropriate substrate using conventional print technology; (Para 22, printing on seal)
- curing the graphics and images printed onto said appropriate substrate;
- printing said textual information onto said appropriate substrate; and (Para22)
- converting said substrate into a desired form of promotional materials. (Para36)

As per Claim 6

Bergerioux ('190) discloses:

The method for a retailer to produce promotional material targeted to a desired demographic group as set forth in claim 5 wherein said desired form of promotional materials are retail paper bags and said converting step further comprises the steps of folding and gluing bag blanks to form said retail paper bags printed with desired graphics, images and textual information. (Para 47, signal of purchaser identifies demographic group; Para 12)

As per Claim 7

Bergerioux ('190) discloses:

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The method for a retailer to produce promotional material targeted to a desired demographic group as set forth in claim 6 wherein said appropriate substrate comprises a roll of material and said printing the graphics and images step further comprises the steps of unwinding said roll of material, rewinding said roll of material as a printed roll, and said converting step further comprises the steps of unwinding the printed roll and shearing said material to form said bag blanks. (Para 46, printable blank)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4,8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bergerioux (10311936) in view of Emslander et al. (6589636). Bergerioux does not teach rolls and slitting, Emslander teaches rolls of substrate material and slitting down the center. It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize a process of having substrate on rolls and slitting the rolls to create two printed substrates in order to increase the productivity and output of the system.

As per Claim 4,8

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Claim 4. The method for a retailer to produce promotional material targeted to a desired demographic group as set forth in claim 3 wherein said printing step further comprises printing the digital print file in at least two rows side by side and slitting the substrate to form at least two printed rolls. (Col 15, lines lines 22-30, banners printed on both side and slit into two.)

Claim 8. The method for a retailer to produce promotional material targeted to a desired demographic group as set forth in claim 7 wherein said printing said graphics and images step further comprises printing said graphics and images in at least two rows side by side and slitting the substrate to form at least two printed rolls. (Col 15, lines lines 22-30, banners printed on both side and slit into two.)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Colleen Hoar whose telephone number is 571-270-3447. The examiner can normally be reached on Monday- Thursday 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dixon can be reached on 571-272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thomas A Dixon/
Supervisory Patent Examiner, Art Unit 4172

Colleen Hoar
Examiner
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/C. H./